PTO/SB/21 (02-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE work Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 10/726.767 TRANSMITTAL Filing Date December 3, 2003 **FORM** First Named Inventor Margaret M. Nixon Art Unit 3731 (to be used for all correspondence after initial filing) **Examiner Name** Attorney Docket Number AQMED.0103 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a After Final **Proprietary Information** Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Change of Correspondence Address Status Letter Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): References A1 through A5 Request for Refund **Express Abandonment Request** Postcard Acknowledgement CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Postcard Acknowledgement Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm David W. Carstens Individual name Signature Date August 2, 2004 CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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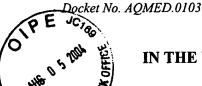
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Date

Pate August 2, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Margaret M. Nixon

Serial No .:

10/726,767

Filing Date:

December 3, 2003

Title:

Surgical Tape Tensioner

Art Unit:

3731

Attorney Docket No.: AQMED.0103

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant requests that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. 1.97.

In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standards of materiality defined in 37 C.F.R. 1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. 1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) within three months of the filing date of the application, or before the mailing date of a first office action the merits. No fee or certification is required.

Date: July 30, 2004

Respectfully submitted,

David W. Carstens Reg. No. 34,134

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PTO/SB/08A (08-03)

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Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 1

| Complete if Known | | | | |
|------------------------|-------------------|--|--|--|
| Application Number | 10/726,767 | | | |
| Filing Date | December 3, 2003 | | | |
| First Named Inventor | Margaret M. Nixon | | | |
| Art Unit | 3731 | | | |
| Examiner Name | | | | |
| Attorney Docket Number | AQMED.0103 | | | |

| | | | | DOCUMENTS | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | A1 | ^{US-} 5,859,019 | 01-12-1999 | Liang et al. | |
| | A2 | ^{US-} 4,710,166 | 12-01-1987 | Thompson et al. | |
| | A3 | US- 4,623,343 | 11-18-1986 | Thompson | |
| | A4 | ^{US-} 4,140,125 | 02-20-1979 | Smith | |
| | A5 | ^{US-} 3,910,280 | 10-07-1975 | Talonn | |
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| | | US- | - | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|--------------|---|---------------------|--|---|----------------|--|
| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | | |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | T ⁶ | |
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|-----------|-----|-------|------------|---|--|
| Examiner | * - | - | Date | | |
| Signature | | | Considered | | |
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